T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			02-Aug-07		APPL. S. N:	10760391	
To Exami	ner:		NEYZARI, ALI		Art Unit	2655	
From			Logan, Rugenia PARALEGAL SPCECIALIS	т	Return This Memo To: Case Drop-Off Location	JEF-2D68	
SUBJEC	r: Decisio	n on Termin	al Disclaimer(T.D.) filed:				
form par- or have a	agraphs i ny quest	dentified by ions, please	this informal memo in your see me or the Special Prog	next O	sults as set forth below. If you ag ffice action to notify applicant of aminer. THIS IS AN INFORMAL, I RECORD IN THE APPLICATION FI	the T.D. If you disagree INTERNAL MEMO ONLY.	
please in	itial, date	and return	this memo to me. THANK Y	OU.			
v	The T.D.	is PROPER a	and has been recorded (see	14.23)			
	The T.D.	is NOT PRO	PER and has not been accep	oted for	the reason(s) checked below (se	ee 14.24):	
	The TD fee ofhas not been submitted nor is there any authorization in the application file for the use of a deposit account						
	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 8.14.26.01).						
			cks the enforceable only du enting rejection, Rule 321(b		nmon ownership clause – neede .4.27.01).	1 to overcome a non-statutory	
	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a termin portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).						
	The person who signed the T.D.:						
		is	not an attorney "of record"	(see 1	4.29 and 14.29.01).		
		☐ há	as failed to state his/her cap	oacity to	sign for the business entity (see	e 14.28).	
		is	not recognized as an office	r of the	assignee (see 14.29 & possible	14.29.02).	
nor is the re (see 37 CFR frame numb The T.D. is n The serial nu disclaimed is		nor is the re (see 37 CFI	itary evidence of a chain of title from the original inventor(s) to assignee has been submitted, el and frame number specified as to where such evidence is recorded in the Office 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and er may be found in the T.D. or in a separate paper of record in the application (see 14.30).				
		The T.D. is not signed (see 14.26 & 14.26.03).					
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).					
		The serial r disclaimed	number of this application (or is missing or incorrect (see	this application (or the number of the patent in reexam or reissue cases being or incorrect (see 14.26, 14.27.02 or 14.26.05).			
		The period	disclaimed is incorrect or no	ot speci	fied (see 14.26, 14.27.02 or 14.2	26.03).	
		Other:				- V	
		Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.					
I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.							
Ex.Initial	s:	D	ate:			Log Date:	

Application Number	10/760,391	R	pplicant(s)/Patent (leexamination		
Document Code - DISQ		Internal Doc		cument – DO NOT MAIL	
TERMINAL DISCLAIMER	ĭ APPROVED		☐ DISAPPROVED		
Date Filed : July 24, 2007	This patent is subject to a Terminal Disclaimer				
Approved/Disapproved by:					
Henry D. Jefferson					

Application/Control No.

Applicant(s)/Patent under Reexamination

U.S. Patent and Trademark Office

MODIFIED PTO/SR/

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT

Docket Number

079331

In re Application of:

Akito KAMATANI

Application No.:

10/760.391

Filed:

January 21, 2004

For:

2 4 2007

MAGNETIC TRANSFER APPARATUS

The owner*, FUJIFILM Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below. the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent No. 6,839,192 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

expires for failure to pay a maintenance fee;

is held unenforceable:

is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321: has all claims canceled by a reexamination certificate:

is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.). the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.	◪	The undersign	ned is an	attorney or agent	of record.
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	July 24, 2007		
Signature		Date	
Paul F. Neils	33,102	202-293-7060	
Typed or printed name	Rea No	Telephone Mumber	

M Terminal disclaimer fee under 37 CFR 1.20(d) or authorization to charge said fee to Deposit Account No. 19-4880 is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

97/25/2897 MAHNED1 GURRARRS 16768391

WI FC: 1814

139,09 00





PATENT APPLICATION

DETED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: O79331

Akito KAMATANI

Appln. No.: 10/760,391

Group Art Unit: 2627

Confirmation No.: 1316

Examiner: Ali NEYZARI

Filed: January 21, 2004

For: MAGNETIC TRANSFER APPARATUS

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$130.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,

SUGHRUE MION, PLLC Telephone: (202) 293-7060 Facsimile: (202) 293-7860

WASHINGTON OFFICE

Date: July 24, 2007

Paul F. Neils

Registration No. 33,102